

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 4:12CR472 RWS
)	
LEON JACKSON and)	
MICHAEL SMITH,)	
)	
Defendants.)	

AMENDED ORDER CONCERNING PRETRIAL MOTIONS

IT IS HEREBY ORDERED that **forthwith** the government shall give notice to the defendant of its intention to use specific evidence at trial pursuant to Rule 12(b)(4), Federal Rules of Criminal Procedure.

IT IS FURTHER ORDERED that **forthwith** each party may propound to the opposing party, and may file with the court, any request for pretrial disclosure of evidence or information. Not later than **January 22, 2013**, the parties shall respond to any such requests for pretrial disclosure of evidence or information and may file with the court a copy of any such response. To avoid proliferation of documents, to the extent practicable, all such requests for disclosure and the responses thereto shall be contained in one request document or in one response document, with each separate item of information or evidence discussed being a subpart of said document.

IT IS FURTHER ORDERED that not later than **January 28, 2013**, the parties shall file any relevant pretrial motion(s) and the parties shall respond no later than **February 4, 2013**. If any party requests an extension of time in which to file pretrial motions, the request must be made in the form of a written motion; the motion should state good cause in support of the request, and, if the party

believes that pretrial motions will be filed, indicate, to the extent possible, those motions which are intended to be filed.

IT IS FURTHER ORDERED that if any party determines that it is not necessary to file pretrial motions, that party must file with the court by **January 28, 2013**, written notice of the party's intention not to file pretrial motions. The notice must state that there are no issues the defendant wishes to raise by way of pretrial motion; that counsel has personally discussed this matter with the defendant; and that the defendant agrees and concurs in the decision not to raise any issues by way of pretrial motions.

IT IS FURTHER ORDERED that any pretrial motion seeking a court order for the production of evidence or information from the opposing party, and each motion to suppress evidence, shall contain a statement of counsel that movant's counsel has personally conferred with counsel for the opposing party about the issue(s) raised in the motion(s), that there is a good faith belief that the information or evidence exists about which discovery is sought or which the defendant seeks to have suppressed, and (for motions for disclosure) that the disclosure of said information or evidence has been refused by the opposing party.

IT IS FURTHER ORDERED that all deadlines set forth in this order include weekend days and holidays. However, if a due date falls on a weekend or holiday, the due date for compliance shall be the next work day.

IT IS FURTHER ORDERED that no extension of time of any deadline set in this order will be granted except upon written motion, made before the expiration of the deadline, and upon good cause shown. **Failure to timely file motions or requests or to request an extension of time to do so within three (3) days of the deadline set out above will be considered as a waiver of the right**

of a party to make such motions or requests, as set out in Rule 12(e), Federal Rules of Criminal Procedure.

Further,

The evidentiary hearing will be set after pretrial motions have been filed, and the parties will be notified by order of the undersigned.

/s/ Terry I. Adelman
UNITED STATES MAGISTRATE JUDGE

Dated this 16th day of January, 2013.